

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

26712

7590

08/06/2004

**HODGSON RUSS LLP**  
**ONE M & T PLAZA**  
**SUITE 2000**  
**BUFFALO, NY 14203-2391**

11/09/2004 MAHME2 00000022 082442 10718838

01 FC:1504 300.00 OP  
 02 FC:8001 30.00 OP  
 03 FC:2501 20.00 DA 665.00 OP

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Janice Capuani (Depositor's name)  
 Janice Capuani (Signature)  
 November 4, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,838	11/21/2003	Paul J. Walsh	38156.0004	1929

TITLE OF INVENTION: VARIABLE CONSTANT VOLUME COOLING/HEATING UNIT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	11/08/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALI, MOHAMMAD M	3744	236-012160

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Hodgson Russ LLP

2

3

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-2442 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature)

(Date)

November 4, 2004

John M. Del Vecchio, Reg. No. 42,475

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTO/SB/17 (10-033) Approved for use through 07/31/2006, OMB 0651-0032 <div style="text-align: center;"> <b>FREE TRANSMITTAL</b>  <b>for FY 2004</b> </div> Effective 10/01/2003. Patent Fees are subject to annual revision. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	Application Number	10/718,838
	Filing Date	November 21, 2003
	First Named Inventor	Paul J. Walsh
	Examiner Name	Mohammad M. Ali
	Group/Art Unit	3744
TOTAL AMOUNT OF PAYMENT		(\$995)
Attorney Docket Number		38156.0004

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)				
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgeson Russ LLP</u>  The Director is hereby authorized to (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any fee deficiencies or credit any overpayments <input type="checkbox"/> Charge any additional fees during pendency of this application. <input type="checkbox"/> Charge fees indicated below, except for the filing fee to the above-identified deposit account	<b>3. ADDITIONAL FEES</b>				
	<u>Large Entity</u>		<u>Small Entity</u>		
	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
	Fee Paid				
	1051	130	2051	65	Surcharge - late filing fee or oath
	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
	1053	130	1053	130	Non-English specification
	1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
	1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action
	1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action
	1251	110	2251	55	Extension for reply within first month
	1252	420	2252	210	Extension for reply within second month
	1253	950	2253	475	Extension for reply within third month
	1254	1,480	2254	740	Extension for reply within fourth month
	1255	2,010	2255	1,005	Extension for reply within fifth month
	1401	330	2401	165	Notice of Appeal
	1402	330	2402	165	Filing a brief in support of an appeal
	1403	290	2403	145	Request for oral hearing
	1451	1,510	1451	1,510	Petition to institute a public use proceeding
	1452	110	2452	55	Petition to revive - unavoidable
	1453	1,330	2453	665	Petition to revive - unintentional
	1501	1,330	2501	665	10 advance copies Utility issue fee (or reissue)
	1502	480	2502	240	Design issue fee
	1503	640	2503	320	Plant issue fee
	1460	130	1460	130	Petitions to the Commissioner
	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
	1806	180	1806	180	Submission of Information Disclosure Statement
	8021	40	8021	40	Recording each patent assignment per property (times number of properties)
	1809	770	2809	385	Filing a submission after final rejection(37 CFR 1.129(a))
	1810	770	2810	385	For each add'l invention to be examined(37 CFR 1.129(b))
	1801	770	2801	385	Request For Continued Examination (RCE)
	1802	900	1802	900	Request for Expedited Examination of a design application
	Other fee (specify) <u>Publication Fee</u>				\$300
	*Reduced by basic filing fee paid				<b>SUBTOTAL (3)</b>
					\$995

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 4, 2004.

Janice Capuani  
Name

Janice Capuani  
Signature

November 4, 2004  
Date of Signature

1024524